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# WV Senate Bill 61

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# Rowan Jalso: WVU School of Theatre and Dance

## Senate Bill 61

WV Senate Bill 61 is about the prohibition of **smoking in a vehicle while a minor is present**.

This bill makes smoking with a minor a secondary misdemeanor offense, and the person convicted will be fined up to 25\$

## Claim: Yea or Nay?

**Supporting this bill will ensure the health and safety of minors in West Virginia.**

### Second Hand Smoke

- The CDC says “Second hand smoke exposure contributes to approximately 41,000 deaths among nonsmoking adults and 400 deaths in infants each year. Secondhand smoke causes stroke, lung cancer, and coronary heart disease in adults. Children who are exposed to secondhand smoke are at increased risk for sudden infant death syndrome, acute respiratory infections, middle ear disease, more severe asthma, respiratory symptoms, and slowed lung growth.”
- “Second hand smoke causes numerous health problems in infants and children, including more frequent and severe asthma attacks, respiratory infections, ear infections, and sudden infant death syndrome (SIDS).”
- “Smoking during pregnancy results in more than 1,000 infant deaths annually.”

### Right of Choice

- “Under the law, children in the United States are fully formed human beings with the same basic constitutional rights that adults enjoy. Like every other citizen, children have the right to due process under the law and the right to counsel. They're also protected against cruel and unusual punishment and unreasonable searches and seizures.”

*If you smoke near a child, you are removing their right to decide what is done to their own bodies. You are levying onto them possible health risks.*

### Child Endangerment

- “Child Endangerment refers to an act or omission that renders a child to psychological, emotional or physical abuse. Child abuse based on the offense of child endangerment is normally a misdemeanor, but endangerment that results in mental illness or serious physical illness or injury is a felony. The child who is subjected to child endangerment is called an abused child or a neglected child.”

*I would argue that smoking in the presence of a minor, in a non-ventilated area, is child endangerment. Even if it is not your own child, say you are driving the friend of your child around, you are endangering their health as well.*

### Closing Thoughts

I am for the bill that makes it a felony to smoke in a motorized vehicle while in the presence of a minor. Not only is this extremely detrimental to the health of the child (second hand smoke), it is also morally inept. This removes the right of the minor to do what they want with their bodies, and you as the adult is endangering their well-being.

*I am in favor of creating a misdemeanor for this action, as it will improve the health of countless children.*